

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:24-CR-245-BO-RJ-1

UNITED STATES OF AMERICA,

v.

KAI LIAM NIX,
Defendant.

MOTION TO EXTEND PRETRIAL
MOTIONS DEADLINE AND
CONTINUE ARRAIGNMENT
(UNOPPOSED)

NOW COMES Defendant Kai Liam Nix, by and through undersigned counsel, and respectfully moves this Court to extend the pretrial motions deadline by approximately sixty days (until November 22, 2024) and to continue his arraignment at least until the December 2024 term of Court. In support of this motion, Mr. Nix shows the following:

1. On August 14, 2024, a grand jury sitting in the Eastern District of North Carolina returned a four-count indictment charging Mr. Nix with:
 - a. A false statement or representation made to a department or agency of the United States, in violation of 18 U.S.C. § 1001(a);
 - b. dealing in firearms without a license, in violation of 18 U.S.C. §§ 922(a)(1)(A) and 924; and
 - c. two counts of possession or sale of a stolen firearm, in violation of 18 U.S.C. §§ 922(j) and 924.

2. Mr. Nix was arrested on August 15, 2024. He had an initial appearance on August 19, 2024, and the Government originally moved for detention. United States Magistrate Judge Robert T. Number, II ordered that Mr. Nix be temporarily detained pending his detention hearing and appointed the Office of the Federal Public Defender to represent him.
3. On August 20, 2024, the undersigned (“Appointed Counsel”) filed a Notice of Appearance.
4. On August 21, 2024, the Court entered a Scheduling Order directing the parties to conduct a pretrial conference on or before September 9, 2024. The Court further ordered that any pre-trial motions be submitted no later than September 23, 2024 and set the arraignment and trial of this matter for the October 2024 term of Court.
5. A detention hearing was held on August 22, 2024, and the Government withdrew its motion for detention. United States Magistrate Judge James E. Gates ordered that Mr. Nix be released subject to certain conditions.
6. On September 12, 2024, the government served its first round of discovery disclosures on Mr. Nix. The government’s first round of discovery disclosures were voluminous. The government has also indicated that additional discovery is forthcoming.
7. The undersigned needs additional time to review the government’s discovery disclosures with Mr. Nix. The Defendant therefore respectfully requests that the pre-trial motions deadline be extended for approximately

sixty days (until November 22, 2024) and that his arraignment be continued at least until the December 2024 term of Court.

8. Appointed Counsel has addressed this matter with the assigned Assistant United States Attorney, Gabriel Diaz, and he has no objection to this request.
9. This is the first motion to extend the deadline to file pretrial motions and to continue the arraignment of this matter.
10. This motion is made in good faith and not for purposes of delay. Neither the government nor the Defendant would be prejudiced by the requests sought herein.
11. The ends of justice served by this Motion outweigh the interests of the public and the defendant in a speedy trial. The period of delay resulting from granting this continuance should therefore be excluded from the calculation of speedy trial time pursuant to 18. U.S.C. § 3161(h)(8)(A).

WHEREFORE, the Defendant respectfully requests that the pretrial motions deadline be extended until November 22, 2024 and that his arraignment be continued at least until the December 2024 term of Court.

Respectfully submitted this the 23rd day of September, 2024.

G. ALAN DuBUOIS
Federal Public Defender

/s/ Robert J. Parrott Jr.
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N.C. State Bar No. 46312
Appointed

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing MOTION through the electronic service function of the Court's electronic filing system, as follows:

Gabriel J Diaz
United States Attorney
Email: Gabriel.Diaz@usdoj.gov

This the 23rd day of September, 2024.

/s/ Robert J. Parrott Jr.
Counsel for Defendant
Appointed